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VIA: ECF

Probation Officer
Roberta Houlton
United States Probation Office
147 Pierrepont Street
Brooklyn, NY 11201-4201

RE: United States v. Disano, et al. 18 CR 00337 (WFK)

Dear Probation Officer Houlton:

Please be advised Defense objects to paragraph 160 page 29 of Mr. Disano's Presentence Investigation Report, (PSR). Said PSR, paragraph 160 page 29, articulate a Criminal History III. Based upon this conclusion Defense objects to the sentence calculations as stated in paragraphs 196 page 35 and lastly paragraph 211 page 37, (Offense level 18 sentencing range 33 to 41 months).

Defense rely on Mr. Disano's negotiated Plea agreement page 3 footnote 2, whereupon, the Government and Defense agree, pursuant to U.S.S.G. Sec 4A1.3(b)(1) that the Court find that Mr. Disano falls within Criminal History II. Therefore based on this mutual agreement Mr. Disano's sentencing guideline range is 30-37 months given an adjusted offense level of 18.

Defense reserve the right to make additional objections at Sentencing should said objections deem warranted.

Respectfully submitted,

/s/ ROYCE RUSSELL

Royce Russell, Esq.

Cc: Honorable Judge Kuntz, II
AUSA Miller Scott Miller